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Attorney for Defendants
Municipality of Anchorage
APD Badge #1503, Shirley Winborg
APD Badge # 1075, Gil Davis

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

DANIEL DENARDO)	
)	
Plaintiffs,)	
)	
vs.)	
)	
MUNICIPALITY OF ANCHORAGE,)	
APD Badge #1503, SHIRLEY WINBORG, and))	
APD Badge #1075, GIL DAVIS,)	
)	
Defendants.)	
)	

U. S. District Court Case No. A04-0269 CI (RRB)

DECLARATION OF GIL DAVIS

1. I am a sergeant with the Anchorage Police Department and make this declaration of my own personal knowledge.
2. On December 5, 2002 I was dispatched to the Federal Building, 222 W. 7th, to contact security personal about an uncooperative individual on the premises.
3. When I arrived I first contacted security officer Miller and spoke with him just outside of the building. Officer Miller identified a tall, white male that was then

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OF
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standing near the security entrance, as the uncooperative individual. During this conversation Officer Winbord arrived and participated.

4. Officer Miller advised us that the individual's name was Daniel Denardo; that officer Miller had issued Mr. Denardo a United States District Court Violation Notice for failure to follow signs and directions (41 CFR 101-20.304); and that Officer Miller had instructed Mr. Denardo to leave the premises.

5. Mr. Denardo refused to leave the premises despite instructions to do so.

6. I believed Officer Miller had authority to instruct Mr. Denardo to leave the premises. Officer Miller was wearing a uniform and stationed at the entrance to the building with Officer Santisteven. At some point I learned both officers were employees of American Guard, a subcontractor to the Federal Security Service.

7. A sign was located at the entrance to the federal building with the following language: "GSA - State or Federal Photo ID required for entry. Federal Protective Service."

8. When Officer Winborg and I approached, Mr. Denardo acknowledged his name and explained that he believed he did not have to show identification. He refused to show us the citation issued by Officer Miller and refused to acknowledge he had even received the citation, instead asserting his rights under the 5th Amendment.

9. Mr. Denardo refused to show identification and refused to provide a physical address for his place of residence. In the course of placing Mr. Denardo under arrest, I removed a very old passport of Mr. Denardo from his front shirt pocket.

10. I arrested Mr. Denardo for trespass under Anchorage Municipal Code 08.45.010(3), which provides as follows:

A person commits the crime of criminal trespass if the person:

* * * * *


(3) Knowingly enters or remains on public premises or property, or in a public vehicle when the premises, property, or vehicle is not open to the public or after the person has been requested to leave by someone with the apparent authority to do so.

11. Officer Winborg transported Mr. Denardo to the courthouse for a bail hearing before Magistrate Cole while I conducted further investigation.

12. Mr. Denardo was placed under arrest for trespass and taken before the magistrate where he spoke at length about his objections to the security requirements of the federal government. He admitted calling federal prosecutors about the ID requirement before entering the building and he admitted he was testing the issue.


I declare under penalty of perjury under the laws of the State of Alaska that the above is true and correct.

DATED this 8th day of February, 2006.



Gil Davis

Feb 15, 2006
The undersigned hereby certifies that on ~~2/7~~ *Feb 15, 2006* a true and correct copy of the ~~200~~ *MOA* was served on:
- D. DeNardo *DeNardo, et al, Davis*
by first class regular mail, if noted above, or by electronic means through the ECF system as indicated on the Notice of Electronic Filing



E. Loew